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December 10, 2018

Mr. Thomas Bach
President, International Olympic Committee
Château de Vidy
C.P. 356
CH-1007 Lausanne
Switzerland

Dear President Bach,

Ref. IAAF Request for Inclusion of the Women's 50km Race Walk Event in the Tokyo 2020 Olympic Programme

I write you to urge that the IOC grant the IAAF's request to include the women's 50km race walk event in the Tokyo 2020 Olympic Programme. The IAAF Council made this request during their December 4, 2018 meeting in Monaco. I understand that IAAF President Sebastian Coe may have brought this to your attention during last Saturday's Olympic Summit in Lausanne.

I have had the privilege of representing several women 50km race walkers in gender discrimination cases both in the Court of Arbitration for Sport and the European Athletics Court. I have also enjoyed the honor of lobbying the 209th and 215th IAAF Council meetings (see enclosed booklet), and of having been present at the Lima Westin for the 131st IOC Session, where I had meaningful discussions with IOC Members regarding the 50km race walk event.

I congratulate the IOC on its recent receipt of the "Power, Together Award" for its commitment to gender equality. Granting the IAAF request will further strengthen the IOC's gender equality commitment.

I commend the IOC for having expressly enshrined gender equality and the absence of gender discrimination as Fundamental Principles of Olympism starting with the 2004 Olympic Charter. This welcome addition changed the legal requirement for when a women's event must be organized: if there's a men's event, then there must also be a women's event. Permitting women 50km walkers to race for Olympic gold in Tokyo fulfills the gender equality promise of the Olympic Charter. Of course, granting the IAAF request is more than fulfilling a Charter promise; it is legally required.

Granting the IAAF request will neither increase the total number of athletes at the Tokyo Games nor increase the number of events, as the women's 50km will be conducted jointly with the men's 50km, albeit with separate classifications. The men's 50km race walk in Rio was an exciting event. The joint format of the proposed Tokyo race will heighten broadcast interest and comports with the way many long-distance races are organized at local levels.

The IOC Executive Board is empowered to act on the IAAF request pursuant to Rule 19 (3.10) of the Charter which provides that the Executive Board may issue "... all regulations necessary to ensure the proper implementation of the Olympic Charter and the organization of the Olympic Games." Including women race walkers in the Tokyo 50km event implements the gender equality requirement of the Charter. It would also render the IAAF compliant with Rule 25's requirement that "the practice and activities of the IFs within the Olympic Movement must be in conformity with the Olympic Charter"

The IAAF request is timely within the meaning of Bye-law 2.2 to Rule 45 ("The IOC Executive Board shall decide on the Events Programme not later than three years prior to the opening of the relevant Olympic Games"), as the 50km race walk event was decided upon at the June 2017 Executive Board meeting in Lausanne. The IAAF request simply renders an existing event gender equal.

Even were the women's 50km to be construed as a new event, the imperative of the underlying Fundamental Principle of gender equality is higher-ranking than an ordinary time restriction regulation imposed by a bye-law. The higher-ranking rule prevails. (See *United States Olympic Committee v. International Olympic Committee*, CAS 2011/O/2422, at p. 2.) Moreover, any deadline may be waived under Bye-law 3.4 to Rule 45. Providing gender equality is an exceptional reason for granting a waiver.

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Please grant the IAAF request to include the women's 50km race walk in the Tokyo programme at the earliest opportunity but no later than at the March 2019 Executive Board meeting. Women athletes deserve as much notice as possible about their 50km inclusion so that they may adequately prepare for Olympic qualification and the race itself, especially in light of the 50km event being one of the toughest athletic, if not Olympic, events.

Please feel free to contact me if you would like to meet and discuss this matter further.

Thank you for your consideration.

With best regards,



Paul F. DeMeester
Race Walker
Former member Belgian National Junior Athletics Team 1975-78

cc: IAAF President Sebastian Coe
Enc.